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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 4 August 2004 from the Permanent Mission of Costa Rica to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Costa Rica to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) concerning the proliferation of weapons of mass destruction and has the honour to refer to its note SCA/10/04 (02), in which it requests Costa Rica to present a report on the steps the country has taken to fulfil its obligations under resolution 1540 (2004) with respect to the vertical proliferation of weapons of mass destruction.

In reply, the Permanent Mission of Costa Rica has the honour to report as follows:

1. As a country without an army, Costa Rica does not possess any type of chemical, biological or nuclear weapons of mass destruction.

2. Article 25 (e) of Costa Rica's Arms and Explosives Act prohibits weapons that, when used, produce asphyxiating, poisonous, paralysing, irritating or tear-inducing gases, except weapons designed to be used in self-defence with a tear gas content of no greater than 30 grams and security devices that use the same gas installed in safety vaults and establishments that require special protection, provided that such establishments are duly authorized by the Weapons Division of the Ministry of Public Security.

3. Article 26 of the same Act prohibits the use, production or introduction into the country of gases for use as weapons, chemical compounds, viruses or toxic or deadly bacteria that cause irreversible physical or mental harm.

4. Article 83 of the same Act provides that toxic gases and bacteriological and similar weapons that are confiscated must be rendered unusable in order to prevent any diversion. The Act also provides that the confiscated items should be turned over to the State.

5. By Act No. 7571 of 7 February 1996, Costa Rica ratified the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, of 13 January 1993.

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6. At the administrative level, the Weapons Division of the Ministry of Public Security, in coordination with the Customs Department of the Ministry of Finance, regulates the entry into the country of hazardous materials that could be used for the manufacture of explosives. Before such materials could be removed from the customs bonds, the Customs Department requires, firstly, that they be entered in a register kept by the Weapons Division; secondly, an annual licence issued by the Weapons Division; and, thirdly, the express approval of the Division contained in a technical note.

7. At the inter-institutional level, the Weapons Division actively participates in the activities organized by the National Chemical Weapons Authority.

8. Legislation has now been drafted to bring national laws into line with international treaties. The draft legislation includes specific provisions on chemical weapons and raw materials as well as on the characterization of a series of acts as crimes to punish the production and unlawful use of such weapons.

The Permanent Mission of Costa Rica to the United Nations takes this opportunity to convey to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) concerning the proliferation of weapons of mass destruction the renewed assurances of its highest consideration.